

### **REMARKS**

This is in full and timely response to the non-final Official Action of December 12, 2007. Reexamination in light of the following remarks is respectfully requested. No new matter has been added.

Claims 1, 4, 5, 8-11, and 14-17 are currently pending in this application, with claims 1 and 11 being independent.

#### **I. Claim Rejections – 35 U.S.C. § 101**

Claims 12 and 13 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Claims 12 and 13 have been canceled by the foregoing amendment. Therefore, the rejection is now moot. Accordingly, withdrawal of the rejection is respectfully requested.

#### **II. Claim Rejections – 35 U.S.C. § 103**

Claims 1-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Baxter et al. (US 20030229637), hereinafter “Baxter” in view of Horn (US 20040177319).

##### **1. Claim 1**

As a preliminary matter, most of the features of claims 2 and 3 have been incorporated into claim 1 and claims 2 and 3 have been canceled.

Claim 1 is directed to a file managing apparatus for managing files recorded on a recording medium by resorting to an index file recorded on said recording medium; wherein said index file is formed by a series of entries constituted by blocks of extract information about said files, said extract information being arranged to correspond with said files; wherein hierarchy

management information which is set for each of said entries and which primarily points to another entry is provided to express a hierarchical structure of said files recorded on said recording medium; and wherein an entry for temporary management is provided under which a file to be deleted is stored temporarily; wherein, in said index file, said extract information is grouped by attribute into a thumbnail image group which is a group of thumbnail images, a text group which is a group of titles in text, and a property group which is a group of properties for managing said thumbnail image group and said text group; wherein in said property group, entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail image group and said text group, and with file-related management information pointing to the corresponding files; wherein said file managing apparatus changes, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion, the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management; and wherein said file managing apparatus includes a display unit to display said extract information about said entry furnished with said hierarchy management information which has been changed so as to point to said entry for temporary management, so that said file managing apparatus accepts processing of the file associated with said entry about which said extract information is displayed.

Baxter et al. arguably discloses a method and apparatus for safeguarding files. Horn arguably discloses a computer system for automatic organization, indexing and viewing of information from multiple sources.

However, Baxter fails to disclose, teach or suggest a use of an index file as recited in claim 1, in which in said index file, said extract information is grouped by attribute into a thumbnail image group which is a group of thumbnail images, a text group which is a group of titles in text, and a property group which is a group of properties for managing said thumbnail image group and said text group, and wherein in said property group, entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail

image group and said text group, and with file-related management information pointing to the corresponding files.

In regard to this point, the Office Action asserts that Baxter discloses the file management apparatus according to claim 1, wherein in said index file, said extract information is grouped by attribute into a group of thumbnail images, a group of files in text, and a group of properties for managing said thumbnail image group and said text group (Baxter: [0100]).

However, at paragraph [0100], Baxter only discloses “e. Extraction and storing searchable text from eligible documents.” Also, at paragraph [0012], Baxter discloses “[t]he invention accomplishes its tasks by providing a non-intrusive (i.e. requiring minimal client intervention) method of collecting and packaging one or more documents (computer files) into a standardized format, securely recording evidence of the package, and indexing and storing the package for later retrieval.”

Thus, Baxter does not disclose, teach or suggest that extract information is grouped by attribute, and that entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail image group and said text group, and with file-related management information.

Moreover, Baxter does not disclose, teach or suggest that “said file managing apparatus changes, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion, the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management.”

In regard to this point, the Office Action alleges that Baxter discloses “... said file managing apparatus, when changing said management information primarily pointing to another entry in such a manner as to point to said entry for temporary management, keeps said entry-related

management information and said file-related management information unchanged regardless of the instruction of the deletion (Baxter: abstract; [0168]).

Baxter discloses that “[a] computer implemented method for safeguarding files, comprising the steps of designating a location on a first computer for storage of files to be safeguarded, selecting certain of the files to be safeguarded from the location based upon predetermined selection criteria, copying the selected files to be safeguarded to a second computer, deleting the selected files from the first computer, processing the selected files to be safeguarded on the second computer, and storing the selected files to be safeguarded in a restricted access database. In a second embodiment, the file is copied to a second computer, but not deleted from the first computer, in addition to all other steps of the method. The invention also includes an apparatus for carrying out the methods of the invention.” (Baxter, Abstract).

However, in the first embodiment (described in the abstract of Baxter), the selected files are copied to be safeguarded to a second computer, and the selected files are deleted from the first computer. Thus, Baxter does not disclose, teach or suggest that said entry-related management information and said file-related management information is kept unchanged regardless of the instruction of the deletion.

In the second embodiment of Baxter, the selected files are not deleted but copied to the second computer. However, in the second embodiment of Baxter, deletion is not instructed.

Further, at paragraph [0168], Baxter discloses “1. Computer programs that generate documents needing protection store or make duplicates of them (possibly temporarily) at predictable location(s) on the client’s network.” Thus, although Baxter discloses duplicates of documents are stored or made duplicates (possible temporarily), it fails to disclose that “said file managing apparatus changes, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion, the hierarchy management information.” Please note that in Baxter, details of the temporary management for storage are not disclosed.

Also, although Horn discloses temporary management for storage, it fails to disclose, teach or suggest that “said file managing apparatus changes, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion, the hierarchy management information.” Please note that in Horn details of the temporary management for storage are not disclosed.

Thus, none of the applied art discloses, teaches or suggests that “said file managing apparatus changes, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion, the hierarchy management information which is set for the entry of said file to be deleted and which primarily points to another entry, in such a manner that said hierarchy management information points to said entry for temporary management.”

Accordingly, withdrawal of the rejection and allowance of the claim is respectfully requested.

## **2. Claim 11**

Similarly to claim 1, Baxter fails to disclose, teach or suggest that “in said index file, said extract information is grouped by attribute into a thumbnail image group which is a group of thumbnail images, a text group which is a group of titles in text, and a property group which is a group of properties for managing said thumbnail image group and said text group; wherein in said property group, entries concerning said files are furnished with entry-related management information pointing to the corresponding entries in said thumbnail image group and said text group, and with file-related management information pointing to the corresponding files; said file managing method comprising the step of changing the hierarchy management information which is set for the entry of said file to be deleted, in such a manner that said hierarchy management information points to said entry for temporary management, with keeping said entry-related management information and said file-related management information unchanged regardless of the instruction of the deletion.”

### **3. Claims 4, 5, 8-10, and 14-16**

Applicants respectfully submit that since claims 4, 5, 8-10, and 14-16 depend on claim 1, they are allowable for at least the reasons that claim 1 is allowable respectively and they are further allowable by reason of the additional limitations set forth therein. Accordingly, withdrawal of the rejection and allowance of the claims is respectfully requested.

### **4. Claims 2, 3, 6, and 7**

By the foregoing amendment, claims 2, 3, 6, and 7 have been canceled. Therefore, the rejection is now moot. Accordingly withdrawal of the rejection is respectfully requested.

### **III. Newly Added claims**

By the foregoing amendment, Applicants have added claims 14-17 in order to claim various features of the invention. Since claims 14-17 depend on the respective base claims 1 and 11, they are allowable for at least same reasons that the respective base claims are allowable. Therefore, allowance of the claims is respectfully requested.

### **IV. Conclusion**

In view of the following arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action.

However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully

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request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-3114 from which the undersigned is authorized to draw.

Dated: March 6, 2008

Respectfully submitted,

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